

REMARKS

Favorable consideration of this application is respectfully requested.

Claims 14-26 are currently active in this case. Each claim is supported by the specification and claims as originally submitted and no new matter has been added.

In the outstanding Official Action, Claims 14-18, 20-23, 25, and 26 were rejected under 35 USC 102(b) as being anticipated by Wells (U.S. 2002/0115487 A1, hereinafter Wells), and Claim 19 was rejected under 35 USC 103(a) as being unpatentable over Wells in view of Lockton (U.S. patent 5,083,400). Claim 24 was objected to as being dependent upon a rejected base claim but was identified as allowable if amended to be independent for including the limitations of its base claim and any intervening claims.

Applicant appreciatively acknowledges the Examiner's identification of allowable subject matter in Claim 24.

Applicant respectfully traverses the rejection of Claim 14 under 35 USC 102(b) as being anticipated by Wells. Claim 14 recites:

14. (Previously Presented) A progressive gaming system comprising:
a first gaming device having an input device, a display and a controller, wherein the first gaming device is configured to receive a wager from a first player to play a progressive type game; and
a second gaming device having an input device, a display and a controller, the second gaming device being communicably coupled to the first gaming device, wherein the second gaming device is configured

to receive a wager from a second player to play the progressive type game,

wherein the first and second gaming devices exchange, with each other, information associated with the amount of wagers placed by the first and the second player on each respective gaming device by exchanging an electronic data packet of a predetermined format, in order to determine the total jackpot amount to be won,

wherein determination of whether the first player has won, and the total jackpot amount to be paid to the first player is performed by the controller of the first gaming device, and

wherein determination of whether the second player has won and the total jackpot amount to be paid to the second player, is performed independently of the first gaming device, by the controller of the second gaming device.

However, Wells fails to teach or suggest similar subject matter.

Applicants respectfully note that Wells describes a gaming device network which includes disclosure related to making the network more robust. Wells' bases its discussion on a conventional gaming system wherein gaming device 22 includes a communication link 40 for data transfer to and from the gaming device. The communication link 40 provides for communications to and from the gaming device (e.g., through the gateway 24) to other devices such as a central host.

However, Wells fails to describe specific functionality of those communications sufficient to teach or suggest Applicant's pending claims. For example, Wells fails to teach or suggest exchanging wager information between different machines. In

contrast, Claim 1 specifically recites *"first and second gaming devices exchange, with each other, information associated with the amount of wagers placed by the first and second player on each respective gaming device."*

Applicant respectfully traverses the assertion in the outstanding Office Action which indicates Fig. 1 as showing an exchange of information associated with wagers between gaming devices. In fact, Fig. 1 only shows gaming devices and a gateway connected to a communications link. Applicant acknowledges that the communication link of Fig. 1 may be a network capable of many functions, but only if configured or somehow including programming to perform those functions. However, after careful review of the Wells patent, Applicant has found no indication that Wells intends or suggests that the gaming machines should be configured or programmed to exchange wager information.

Further, even though Wells shows machines linked in a way that the machines could communicate, or that information is passed along from machine to machine to an ultimate destination, Wells appears to not even suggest that the gaming machines communicate amongst themselves. Instead, Wells indicates that the machines communicate with, for example, a central host (Wells, paragraph 0067) or a security monitoring system (Wells, Figs. 3 and 4, paragraph 0068) which are devices independent of the gaming machines. In fact the security aspects of Wells are the centerpiece and main function of Wells, and Wells does not describe functionality similar to an exchange, between gaming machines, of wager information as more specifically described above.

Therefore, Applicant respectfully submits that Claim 14 cannot be anticipated by Wells because Wells fails to teach or suggest subject matter specifically claimed in Claim 14. Accordingly, Applicant respectfully submits that Claim 14 is patentable.

Applicant also respectfully traverses the rejection of Claim 18 under 35 USC 102(b) as being anticipated by Wells. Claim 18 recites:

18. (Previously Presented) A progressive gaming method comprising:

providing a first gaming device having an input device, a display and a controller, wherein the first gaming device is configured to receive a wager from a first player to play a progressive type game;

providing a second gaming device having an input device, a display and a controller. the second gaming device being communicably coupled to the first gaming device, wherein the second gaming device is configured to receive a wager from a second player to play the progressive type game;

transmitting information about the wager placed by the first player from the first gaming device to the second gaming device;

transmitting information about the wager placed by the second player from the second gaming device to the first gaming device, wherein said wager information is transmitted by using an electronic data packet of a predetermined format, in order to determine the total jackpot amount to be won based on the wagers;

determining, by using the controller of the first gaming device, whether the first player has won and the total jackpot amount to be awarded to the first player; and

determining, by using the controller of the second gaming device independently of the first gaming device, whether the second player has won and the total jackpot amount to be awarded to the second player.

However, Wells fails to teach or suggest similar subject matter.

Claim 18 specifically recites a step of *"transmitting information about the wager placed by the first player from the first gaming device to the second gaming device."* However, as discussed above, Wells fails to make any suggestion that the gaming devices communicate wager information amongst themselves. Accordingly, Wells also fails to teach or suggest the above recited step of transmitting.

Therefore, Applicant respectfully submits that Claim 18 cannot be anticipated by Wells because Wells fails to teach or suggest subject matter specifically claimed in Claim 18. Accordingly, Applicant respectfully submits that Claim 18 is patentable.

Based on the patentability of independent Claims 14 and 18, Applicant further respectfully submits that dependent Claims 15-17, and 19-26 are also patentable.

Consequently, no further issues are believed to be outstanding, and it is respectfully submitted that this case is in condition for allowance. An early and favorable action is respectfully requested.

Respectfully submitted

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By: Richard M. Mathis
Name: Richard M. Mathis
Inventor

¹²⁷⁰
Richard M. Mathis
9773 Lost Colt Circle
Las Vegas, NV 89117